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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,972	01/28/2002	Koichi Matsumoto	03500.016126	6706

5514 7590 03/08/2007  
FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER
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SCHLACK, SCOTT A

ART UNIT	PAPER NUMBER
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2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/08/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/055,972

Applicant(s)

MATSUMOTO ET AL.

Examiner

Scott A. Schlack

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) 1-5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/28/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment was received on 12/07/2006, and has been entered and made of record. Currently, claims 6-9 are pending and claims 10-11 have been cancelled.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 6-9 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mori (JP 07-015582) in view of Cutter (US 5,594,430).

With respect to claim 6, Mori discloses an image communication apparatus (Facsimile Apparatus of Fig 1) including an operation panel having operation keys (Operation Panel of Fig 2a) for making said image communication apparatus perform predetermined operation by being operated (Operation Keys 25-34 of Fig 2a), said apparatus comprising: a key lock switch (Key lock switch 34 of Fig 2a and Fig 3) for prohibiting an input by operation of at least one of said operation keys (locking keys);

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reset judging means for judging whether prohibition of the input by said key lock switch is reset or not (Judging whether lock is locked, Abstract and Paragraph 0005);

Mori does not disclose timing means; appointed time information storing means for judging whether an appointed time measured by said timing means has passed or not, wherein when said appointed time judging means judges that the appointed time has passed under the condition that the input by the key operation is prohibited by said key lock switch, said reset judging means judges that the prohibition of the input by said key lock means is reset and the input by the key operation is allowed.

Cutter does disclose timing means (Timer 37 of Fig 1); appointed time information storing means (RAM 35 of Fig 1) for judging whether an appointed time measured by said timing means has passed or not (col 4, lines 20-24), wherein when an appointed time judging means judges that the appointed time has passed under the condition that the unlocking of the lock is prohibited (The lock is unlocked at programmed unlocking times according user selected input, col 2, lines 20-34), a reset judging means judges that the unlocking is reset in accordance with the set unlocking time and the lock is unlocked (col 2, lines 20-34 and col 7, lines 52-59).

At the time of the invention it would have been obvious to one skilled in the art to combine Mori's keyboard locking mechanism with Cutter's timed unlocking mechanism, such that Mori's keyboard lock comprised the functionality of a timed unlocking mechanism.

The suggestion or motivation for doing so would have been to allow the facsimile keyboard lock to unlock according to user input time of day information, thereby providing a programmable time lock (Cutter: col 2, lines 1-3).

5. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori (JP 07-015582) in view of Cutter (US 5,594,430) in further view of Hayes (US 4,718,107)

With respect to claim 7, Mori in view of Cutter discloses an image apparatus according to claim 6.

Mori in view of Cutter does not disclose an image communication apparatus, wherein the image communications apparatus comprises an attribute storing means for storing an attribute indicating whether the prohibition of the input by said key lock switch is performed or not as to each of said operation keys; and comparing means for comparing the attribute of a key and a setting of said key lock switch.

Hayes does disclose an image communications apparatus (Cable TV system with Converter of Fig 2) comprising a blocked channel number list (*analogous to attributes*) storing means (Converter Memory and col 2, lines 40-42) for storing a blocked channel number (*analogous to attribute*) indicating whether the prohibition of the input by said channel blocking device (*analogous to key lock switch*) (Front Panel Keyboard 69 or Remote Control of Converter 60 of Fig 2) is performed or not as to each of said channels (Memory Storing List of Blocked Channels of Fig 3 and col 2, lines 25-55); and comparing means for comparing the blocked channel (*analogous to attribute*) of a channel selector (Remote Control or Keyboard 69 of Converter 60 of Fig 2) and a channel number to be blocked.

At the time of the invention, it would have been obvious for one skilled in the art to combine Mori et al. in view of Cutter et al's image communication apparatus according to claim 6, with Hayes's image communications apparatus comprising a blocked channel number list storing means for storing a blocked channel number indicating whether the prohibition of the input by said channel blocking device is performed or not as to each of said channels; and comparing means for comparing the blocked channel of a channel selector and a channel number to be blocked, such that Mori et al. in view of Maclay et al's image communications apparatus comprises an attribute storing means for storing an attribute indicating whether the prohibition of the input by said key lock switch is performed or not as to each of said operation keys; and comparing means for comparing the attribute of a key and a setting of said key lock switch.

The suggestion or motivation for doing so would have been to allow for the key locking feature to be applied to certain keys and not others according to user selection.

With respect to claim 8, Mori in view of Cutter in further view of Hayes disclose an image communication apparatus according to claim 7, wherein the attribute (channel) is stored in said image communication apparatus (Hayes: Converter Memory) by an setting of an operator (Hayes: col 2, lines 40-52 and col 5, lines 6-13).

With respect to claim 9, Mori in view of Cutter in further view of Hayes disclose an image communication apparatus according to claims 6, further comprising: password storing means for storing a password; password inputting means for inputting a password; and password checking means for checking the password inputted by said

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password inputting means against the password stored in said password storing means (Hayes: col 5, lines 36-63 and col 6, lines 24-35).

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott A. Schlack whose telephone number is (571)272-7954. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571)272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Scott A. Schlack



AUNG S. MOE  
SUPERVISORY PATENT EXAMINER

3/2/07